

APPENDIX C(1):

PART I: INFORMATION REQUIRED FOR ENVIRONMENTAL ASSESSMENT UNDER THE SUBDIVISION AND PLATTING ACT

Information specified in this Part must be provided when the preparation of an environmental assessment is required by the Montana Subdivision and Platting Act and these regulations.

One purpose of the Environmental Assessment is to identify potential effects on agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety, as mandated by Section 76-3-608(3)(a), MCA. Another purpose of the Environmental Assessment is to describe potential impacts and possible measures the developer can use to mitigate those identified effects.

Agriculture and Agricultural Water User Facilities

1. Describe potential impacts the development may have on agriculture. If there will be impacts, describe how those impacts will be mitigated by the developer.
2. Describe impacts on agricultural water users facilities. If there will be impacts on agricultural water facilities, describe how these impacts will be mitigated.
3. Type of agriculture (if any) on the site being considered.
4. Type of agriculture (if any) on adjacent properties.
5. Soil types; soil productivity and capability class; land designation (if any) as prime farmland, or farmland of statewide or local importance; erosion potential; and whether the property is currently irrigated.
6. Where potentially significant impacts are anticipated to agricultural cropland, a more detailed Land Evaluation and Site Assessment (LESA) System report should be compiled and included with the subdivision application staff report.

Completing a LESA report is advised if the affected parcel contains at least 10 acres of agricultural land, *and* one or more of the following criteria are triggered:

- a. Any of the following soil types are present: prime; prime if irrigated; statewide; statewide if irrigated, and/or, local importance.
 - b. There is perennial stream or spring running through the property.
 - c. There is contiguous land along the boundary of the property in question that is being used for agricultural purposes.
7. Water rights and irrigation facilities (if any), including ownership, easements, and potential safety issues such as the possible need for fencing. The applicant must provide details about irrigation facility ownership and easements as part of the subdivision application, so this information can be considered in the staff report. In cases where ownership and/or water rights are unclear, the applicant must clarify them either through a letter from the local irrigation district, Department of Natural Resources and Conservation (DNRC), and/or the appropriate water judge.
8. Indicate the presence of conservation easements on any portion of the property, or adjacent property.
9. Describe responsibility for management of noxious weeds.

Local Services

1. Describe land uses on lands adjacent to the subdivision.
2. Describe any growth policy, or other land use regulations covering the area proposed for subdivision or adjacent land. If the subdivision is located near an incorporated city or town, describe any plans for annexation.
3. Where public lands are adjacent to or near the proposed development, describe the present and anticipated uses of those lands (e.g., grazing, logging, and recreation). Describe how the subdivision will affect access to any public lands.
4. Describe any required construction of new County roads or substantial improvements to existing public access roads.
5. Describe how the development will provide legal and physical access.

6. Describe the proposed closure or modification of any existing roads.
7. If any of the individual lots is accessed directly from an arterial street or road, explain why access was not provided by means of a frontage road or a road within the subdivision.
8. Indicate the following:
 - a. Estimate how much daily traffic the subdivision, when fully developed, will generate on existing streets and arterials.
 - b. Discuss the capability of existing and proposed roads to safely accommodate this increased traffic.
 - c. Describe any increased maintenance problems and cost that will be caused by this increase in volume.
9. Describe any potential year-round accessibility concerns for conventional automobiles over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision.
10. Identify the owners of any private property over which access to the subdivision will be provided and indicate whether easements for access have been obtained from those landowners.
11. Identify the utility companies involved in providing electrical power, natural gas, and telephone service. Indicate whether utility lines will be placed underground.
12. Identify on the preliminary plat or overlay the locations of any needed utility easements [as required by Section 76-3-608(3)(c), MCA].
13. Indicate whether the subdivision has been submitted to affected utilities for review.
14. Describe the available educational facilities that would serve this subdivision and the road distance to each.
15. Estimate the number of school children that will be added by the proposed subdivision.
16. Describe park and recreation facilities to be provided within the proposed subdivision and other recreational facilities that will serve the subdivision.

B. The Natural Environment

1. Locate on a copy of the preliminary plat, or on a plat overlay, the location of the major vegetation types such as marsh, grassland, shrub, and forest.
2. Describe measures to be taken to protect trees and vegetative cover (e.g., design and location of lots, roads, and open spaces).
3. Identify areas containing noxious weed growth. Describe proposed means of weed control, especially to prevent weed growth on areas disturbed by construction.
4. Describe and locate on a copy of the preliminary plat, or on a plat overlay, any known or possible historic, archaeological, or cultural sites that may be affected by the proposed subdivision.
5. Describe any plans to protect such sites or properties.

C. Wildlife and Wildlife Habitat

1. Identify any major species of fish and wildlife use the area to be affected by the proposed subdivision.
2. Locate on a copy of the preliminary plat, or on a plat overlay, any known important wildlife areas, such as big game winter range, migration corridors, waterfowl nesting areas, habitat for rare or endangered species, and wetlands.
3. Describe any proposed measures to protect wildlife habitat or to minimize degradation (e.g., keeping buildings and roads away from shorelines or setting aside marshland as undeveloped open space).

D. Public Health and Safety

1. Locate on a copy of the preliminary plat, or on a plat overlay, any known hazards affecting the development that could result in property damage or personal injury due to:
 - a. Falls, slides or slumps — soil, rock, mud, snow; or
 - b. Seismic activity.

Describe any proposed measures to prevent or reduce the danger of property damage or personal injury from any of these hazards.

2. Identify any geological conditions that might affect development,

such as areas of bedrock, unsuitable soils, or high ground water. Describe any measures proposed to minimize the problems presented by the identified conditions.

3. Describe the emergency services available to the residents of the proposed subdivision, including number of personnel and number of vehicles or type of facilities and road distance to facilities for:
 - a. Fire protection – Indicate whether the proposed subdivision is in an urban or rural fire district. If not, describe plans to form or extend an existing fire district, or describe other fire protection procedures. Where applicable, provide information regarding subdivisions planned in areas of high fire hazards.
 - b. Police protection.
 - c. Ambulance service.
 - d. Medical services.
4. Indicate whether the needs of the proposed subdivision for each of the emergency services found in Appendix C(1)(D)(3) will be met by present personnel and facilities.
 - a. If not, describe the additional expenses necessary to make these services adequate.
 - b. Explain who will pay for the necessary improvements.
 - c. Describe any health or safety hazards on or near the subdivision, such as mining activity, high-pressure gas lines, dilapidated structures, high-voltage power lines, or irrigation ditches. Any such conditions should be accurately described and their origin and location identified.
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